

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION AT GREENEVILLE**

In re	:	
	:	
JACK ROBERT THACKER, JR.	:	Case No. 2:25-bk-50237-RRM
a/k/a JACK R. THACKER,	:	Chapter 11 – Subchapter V
a/k/a J. R. THACKER	:	
	:	
Debtor	:	

**APPLICATION FOR APPROVAL OF EMPLOYMENT OF
PENN STUART ESKRIDGE
PURSUANT TO E.D. TENN. LBR 2014-1
AND RETROACTIVE TO APRIL 15, 2025**

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on the **Application For Approval of Employment Of Penn Stuart Eskridge Pursuant To E.D. Tenn. LBR 2014-1 And Retroactive To April 15, 2025 on April 29, 2025, at 2:30 p.m.**, in the United States Bankruptcy Court, James H. Quillen U.S. Courthouse, 220 W. Depot Street, Greeneville, Tennessee 37743.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the Court may decide that you do not oppose the relief sought in the **Application For Approval of Employment Of Penn Stuart Eskridge, PC Pursuant To E.D. Tenn. LBR 2014-1 And Retroactive To April 15, 2025** and may enter an order granting that relief.

Pursuant to 11 U.S.C. § 327 and Federal Rule of Bankruptcy Procedure 2014 and E.D. Tenn. LBR 2014-1, Jack Robert Thacker, Jr. (“Thacker”) requests approval of his employment of Penn Stuart Eskridge (“Penn Stuart”). In support of his Application, Thacker represents:

(1) On March 6, 2025, Thacker filed his Voluntary Petition under Chapter 11 Subchapter V.

(2) Thacker desires to employ any of the members and associates of the law firm of Penn Stuart for the purpose of rendering post-petition legal services to him and the Estate in connection with his Subchapter V case. Thacker has requested that Penn Stuart investigate, address and handle litigation of the Debtor's potential Objections to Proof of Claims and potential adversary proceedings and to investigate, pursue and handle litigation on his behalf and on behalf of the Estate against, without limitation: (i) Arete Shields, LLC and its affiliates; (ii) Arete Wealth, LLC and its affiliates; and (iii) Bixby Law, LLC, Michael Bixby, Terry Vaughn and Sharon Vaughn for defamation, tortious interference with contract and violations of Tennessee Code § 47-50-109.

(3) Thacker has selected Penn Stuart as his attorneys because of the firm's familiarity with his financial affairs and commercial litigation and bankruptcy law experience.

(4) The Affidavit of Mark Esposito, an officer of Penn Stuart, is attached hereto in support of the Application. Penn Stuart does not hold any interest adverse to the estate and believes it is "disinterested."

(5) In the year preceding the filing of the case, Penn Stuart received a total of \$10,809.50 as payment by Thacker for legal services provided, and the firm received the sum of \$25,000.00 from Thacker as a security deposit. Thacker paid the sum of \$7,982.00 of the total payment of \$10,809.50 via check and the balance of said fees in the amount of \$2,827.50 was disbursed from the security deposit prior to March 6, 2025, reducing the balance of the security deposit to \$22,172.50. The firm has agreed to hold the \$22,172.50 balance of the security deposit

in its trust account. Subject to Court approval, Thacker has agreed to compensate the law firm for post-petition services based on customary hourly rates and to reimburse the firm for expenses.

WHEREFORE, Thacker requests that this Application For Approval Of Employment Of Penn Stuart be approved and that, pursuant to E.D. Tenn. LBR 2014-1, the Application be deemed retroactive to April 15, 2025.

/s/ Jack Robert Thacker, Jr.

Jack Robert Thacker, Jr.

/s/ Maurice K. Guinn

Maurice K. Guinn

(BPR # 000366)

Gentry, Tipton & McLemore, P.C.

P.O. Box 1990

Knoxville, Tennessee 37901

(865) 525-5300

Attorneys for Jack Robert Thacker, Jr.

CERTIFICATE OF SERVICE

The undersigned certifies that on April 15, 2025, the foregoing “**Application For Approval Of Employment Of Penn Stuart Eskridge Pursuant to E.D. Tenn. LBR 2014-1 And Retroactive To April 15, 2025**” and proposed “**Order Granting Application for Approval of Employment Of Penn Stuart Eskridge Pursuant to E.D. Tenn. LBR 2014-1 And Retroactive To April 15, 2025**” were filed electronically. Notice of this filing will be sent by operation of the Court’s electronic filing system to Tiffany DiIorio, Andrew Wesley Hogan, Eric W. Reeher, M. Aaron Spencer, Anthony R. Steele, Walter N. Winchester and the United States Trustee.

Additionally, copies of the “**Application For Approval Of Employment Of Penn Stuart Eskridge Pursuant to E.D. Tenn. LBR 2014-1 And Retroactive To April 15, 2025**” and proposed “**Order Granting Application for Approval of Employment Of Penn Stuart Eskridge Pursuant to E.D. Tenn. LBR 2014-1 And Retroactive To April 15, 2025**” were served on April 15 2025, by first-class mail with sufficient postage prepaid in envelopes addressed as shown in the attachment hereto.

/s/ Maurice K. Guinn

Maurice K. Guinn

Thacker\Application For Approval Of Employment Of Penn Stuart-4-15-25

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION AT GREENEVILLE**

In re	:	
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JACK ROBERT THACKER, JR.	:	Case No. 2:25-bk-50237-RRM
a/k/a JACK R. THACKER,	:	Chapter 11 – Subchapter V
a/k/a J. R. THACKER	:	
	:	
Debtor	:	

AFFIDAVIT OF MARK L. ESPOSITO

STATE OF TENNESSEE
COUNTY OF SULLIVAN

Comes now Mark Esposito, after being duly sworn according to law, to depose and say:

(1) I am an attorney licensed to practice in the State of Tennessee and admitted to practice in the United States District Court for the Eastern District of Tennessee. I am a member of the Penn Stuart & Eskridge, PC (“PennStuart”). Our offices are located at 804 Anderson Street, Bristol, Tennessee 37620. We also have offices in Johnson City, Tennessee and Abingdon, Virginia and Richmond, Virginia.


(2) I have reviewed a list of the creditors of Jack Robert Thacker, Jr (“Thacker”). To the best of my knowledge, the firm is “disinterested” within the meaning of 11 U.S.C. §101(14). To the best of my knowledge neither PennStuart nor I represent any interest adverse to the interest of the estate with respect to the matters for which PennStuart is to be employed.

(3) Subject to the availability of funds in the estate and Court approval, Thacker has agreed to pay fees to PennStuart based on the firm’s customary hourly rates. Those rates range from \$130.00 for law clerks/paralegals and \$250.00 to \$350.00 for attorney services. My current

hourly rate is \$325.00. The rates may increase during the course of the representation. Thacker has also agreed to reimburse the firm for necessary out-of-pocket expenses.

(4) Within the one-year period preceding the filing of Thacker's bankruptcy case, PennStuart received a total of \$10,809.50 as payments by Thacker for legal services provided and PennStuart received the sum of \$25,000.00 from Thacker as a security deposit. Thacker paid the sum of \$7,982.00 of the total payment of \$10,809.50 via check and payment of the balance of said fees for services rendered in the amount of \$2,827.50 was disbursed from the security deposit prior to March 6, 2025, reducing the balance of the security deposit to \$22,172.50. The \$22,172.50 balance of the security deposit is being held in the PennStuart trust account. If compensation allowed by the Court exceeds the amount of the security deposit, my firm expects such allowed compensation to be paid from funds of the Debtor's estate. I understand compensation to my firm is subject to Court approval after notice and a hearing.

FURTHER AFFIANT SAITH NOT.


Mark L. Esposito

Sworn to and subscribed before me, this 14 day of April, 2025.




Notary Public

Label Matrix
Case 2:25-bk-50237-RRM
Eastern District of Tennessee
Greeneville

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